

REMARKS

With entry of the foregoing amendments, claims 1 and 3-29 are pending in the application. In the present office action, all claims stand rejected. No claim has yet been allowed. Reconsideration is respectfully requested in view of the following discussion.

Claim Rejections - 35 U.S.C. § 112

The Examiner rejected claims 1 and 3-29 under 35 U.S.C. § 112, first paragraph, as failing to comply with the Written Description requirement. The Examiner is of the opinion that the specification does not support the negative limitation that “the automatic identification of the fluid purification equipment [is] performed in a manner free of user selection of individual components” as recited in claims 1, 28 and 29. In particular, the Examiner cites page 12, lines 4-14 of the subject specification in support of this rejection.

MPEP § 2173.05(i) states that “the current view of the courts is that there is nothing inherently ambiguous or uncertain about a negative limitation.” The section also states that “if alternative elements are positively recited in the specification, they may be excluded in the claims [citations omitted].”

The objected claim limitation is directed to identification of the fluid purification equipment whereas the cited portion of the specification is directed to selection of embodiments (versions) of a given (e.g. already identified part of the fluid purification equipment) component. Specifically, the paragraph cited by the Examiner merely suggests that the invention system may alternatively offer to an operator (i) choices of several “vendor-specified embodiments of a particular component” and (ii) a choice of an “operator-specified embodiment.” In other words, the cited portion of the specification discloses an alternative element to the present invention. There is no requirement that all embodiments of the invention provide this alternative element (*i.e.*, user selection of component embodiment). Thus, the negative limitation of claims 1, 28 and 29 can be used to distinguish the present invention over systems in which individual components of a fluid purification equipment package are identified through user selection.

For at least these reasons, Applicant respectfully requests withdrawal of this rejection.

Claim Rejections - 35 U.S.C. § 103

The Examiner also rejected claims 1 and 3-29 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,873,263 to Chang in view of U.S. Patent 5,315,521 to Hanson et al and in further view of U.S. Patent 6,182,275 to Beelitz et al. Applicant respectfully traverses this rejection.

Regarding claims 1, 28, and 29, the Examiner states that Chang discloses a fluid purification system that comprises various types of equipment and that optimization of the fluid purification systems through process equipment selection and operation is well known in the art, as suggested by Hanson. Although the Examiner acknowledges that neither Chang nor Hanson teaches or suggests performing the automatic identification of the fluid purification equipment in a manner free of user selection of individual components, the Examiner is of the opinion that Beelitz does teach this feature. This limitation clarifies that the resultant set of components for the fluid purification equipment is automatically identified using defining information regarding a particular fluid purification system as opposed to identification through user selection of individual components. Beelitz does not teach or suggest this feature.

Citing column 18, line 45 though column 19, line 19, the Examiner argues that “Beelitz et al do teach that instead of offering the user an explicit choice of an individual component, the disclosed method determines the parameters of the hardware components, such as computer RAM size and computer operating system.” In particular, in these cited paragraphs, Beelitz is discussing a software selection program that automatically “sniffs” the hardware configuration of an existing computer system that is targeted for software deployment. Based on the hardware configuration of existing system, the software selection program still provides the user with “lists of software program options or other options” for individual user selection. (See Beelitz, col. 18, ln. 60-col. 19, ln. 3; col. 19, lns. 13-20). In particular, Beelitz presents the user with a list of selectable component options for implementation on a target computer system. Each subsequent list contains component options that are compatible with a prior component selection. For example, referring to Figs. 2-6 of Beelitz, a user builds a customized computer system by selecting individual components from compatible lists of processor types, RAM, operating systems, software programs, etc.

Thus, Beelitz does not teach or suggest automatically identifying components of a computer system in its entirety using defining information regarding the operating environment in which the computer system is intended to operate in a manner free of user selection of individual components. .

In contrast, the present invention as recited in base claims 1, 28 and 29 uses defining information regarding a particular fluid purification system, such as operating parameters of the system, to automatically identify a resultant set of components for a fluid purification equipment package that satisfies the operating parameters of the particular fluid purification system in which the equipment package is intended to operate. In other words, the invention system, as opposed to the user, selects which components are to be a part of the overall fluid purification equipment.

In particular, the present invention as recited in claims 1, 28 and 29 identifies fluid purification equipment that is optimized for use in a particular fluid purification system. Specifically, the invention provides an interactive interface for eliciting information that defines a particular fluid purification system, including operating parameters of the system. This defining information about the system is used to automatically identify a fluid purification equipment in its entirety that is formed of individual components in a manner free of user selection of the individual components. Support for these claim limitations can be found at least in the specification as originally filed on page 3, lines 11-20; page 4, line 1 through page 5, line 3; page 6, lines 6-27; and page 7, line 15 through page 8, line 27.

The defining information of the particular fluid purification system may include the specific gas to be purified or the specific material from which the applicable gas purification equipment might be made (See specification, page 10, lines 3-5; page 11, lines 5-9). Other inquiries regarding the particular fluid purification system can also include fluid type, flow rate, contaminant challenge, required output fluid purity, interconnection fittings for system coupling, and other parameters. (See specification, page 6, lines 6-27). In other words, the invention gathers information about the operating parameters of the system in which the fluid purification equipment is intended to operate and, in response, automatically identifies (in a manner free of user selection of components) the optimal fluid purification equipment in its entirety. The identified optimal fluid purification equipment is formed of a set of individual components

specified in the database. For at least the reasons previously discussed, Beelitz does not teach or suggest these features.

For purposes of example, Applicant directs the Examiner's attention to a working embodiment of the invention referred to as "Product Wizard" at Aeronex' home page (www.aeronex.com). Exhibits A, attached hereto, provides screen shots of the Product Wizard in operation.

Referring to Exhibit A, the user is given the option of either reviewing a listing of individual product solutions ("Show Me The Aeronex Product Models") or specifying the operating parameters of the fluid purification system in which the fluid purification equipment package is intended to operate ("I Will Choose a GAS to Purify"). If the user selects the operator-specified embodiment, the user is presented a series of inquiries directed to the particular fluid purification system in which the fluid purification equipment package is intended to operate. For example, in the screen shots of Exhibit A, the user is asked questions that are directed to gas selection, maximum operating pressure, maximum flow rate, filtration level, connection type, average flow rate, purifier weekly usage, outlet purity, and the level of contaminants in the gas. The result is a number of alternative fluid purification equipment packages that meet the operating parameters specified by the user.

Applicant notes that the operator is not asked to select individual components for the resultant fluid purification equipment package as taught by Beelitz.

For at least these reasons, claims 1, 28 and 29 are novel and non-obvious over the prior art of record, and thus are patentable.

Furthermore, by virtue of at least their dependency on Claim 1, claims 3-27 are also patentable.

According to the foregoing, the § 103 rejection is believed to be overcome.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims (claims 1 and 3-29) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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